

## REMARKS

This responds to the Office Action mailed October 5, 2006, which has continued to reject all claim 1-8. In particular, claims 1-4 are rejected under 35 U.S.C. 102(e) as allegedly unpatentable over Cok (US 6,911,772). Claims 5-8 are rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Cok (US 6,911,772) in view of the Richard (US 6,759,945). In response, Applicant has amended independent claim 1 and added new claim 9 in this response. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **Rejection under 35 U.S.C. 102**

Claims 1-4 stand rejected under 35 U.S.C. 102(e) as being unpatentable over Cok (US 6,911,772). In view of the amendment made to claim 1, Applicant respectfully requests reconsideration and withdrawal of this rejection.

In this regard, Applicant has amended claim 1 to recite:

1. An organic electroluminescent display, comprising:  
an organic electroluminescent display (OLED) panel;  
a reflective sheet; and  
***an adjustable brightness regulating film for controlling light transmission placed between the organic electroluminescent display panel and the reflective sheet by applying an adjusting current.***

(Emphasis Added). Claim 1 patently defines over Cok for at least the reason that Cok fails to disclose the features emphasized above.

As recited by the Cok reference, the element 41 is a filter layer provided between a reflector layer 50 and a transparent first electrode 18 (See col. 4, lines 14-16). In operation, both the reflected and directly emitted light will pass through the filter above the second electrode and be seen by a viewer. Ambient light outside the filter spectrum will be

absorbed as described above (see col. 4, lines 25-27). The filter layer is formed by filtering material deposited in a pattern using photolithographic techniques known in the art. For example, light absorbing material maybe coated as a liquid on the entire surface and exposed to radiation through a mask to polymerize portions of the coating. Portions of the material exposed to the radiation are cured and the remainder is washed away. Dry film photolithography may also be used (see col. 5, lines 42-47).

To those skilled in the art, the filter material of the element 41 described above has **fixed** light absorbing ability depending on its intrinsic material character, such as the extinction coefficient (K) thereof, and is not adjustable. In addition, the filter material recited in the *Cok* reference should be electrically insulated and will not be conducted when a current is applied thereon.

Thus, Applicant respectfully asserts that *Cok* is legally deficient for the purpose of anticipating claim 1 (as amended herein). Specifically, Applicant respectfully asserts that *Cok* does not teach or otherwise disclose at least the features/limitations emphasized above in claim 1 (e.g., ***an adjustable brightness regulating film for controlling light transmission placed between the organic electroluminescent display panel and the reflective sheet by applying an adjusting current***). Thus, Applicant respectfully asserts that the above 102 rejections of claim 1 are improper and should be removed. Moreover, since claims 2-4 depend from claim 1, Applicant respectfully submits that these claims also are in condition for allowance.

### **Rejection under 35 U.S.C. 103**

Claims 5-8 stand rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Cok (US 6,911,772) in view of the Richard (US 6,759,945).

As noted above, claim 1 is amended herein to recite ***"an adjustable brightness regulating film for controlling light transmission placed between the organic electroluminescent display panel and the reflective sheet by applying an adjusting current"***. The Cok reference does not teach formation of an ***adjustable brightness regulating film*** formed between the OLED panel and the reflective sheet ***by applying an adjusting current***. The structure disclosed in Fig. 3, and related description thereof in the Cok patent, fails to teach this.

Moreover, as illustrated in Figs. 1 and 2, and discussed in the related description thereof in the US 6,759,945 patent, **Richard does not teach formation of an adjustable brightness regulating film placed between an OLED panel and an reflective sheet by applying an adjusting current**. Instead, Richard teaches that a variable reflectance mirror can be utilized as the internal rearview mirror 10 or the external mirrors 12 and 14 respectively positioned outside the driver and passenger doors of a vehicle (See Fig. 1). Fig. 2 of Richard illustrates a cross-sectional view of the variable reflectance mirror 200 according to the US 6,759,945 patent. Embodiments illustrated in Richard are all related to a mirror used in a vehicle but not a display of self-luminance capability, as the organic electroluminescent display of the present application. Therefore, claims 5-8 cannot be viewed as an obvious combination over the above-cited references.

Accordingly, since each of the above-cited references is complete and function in itself, there would be no reason to use as these references individual (or to add or substitute parts thereof) in a combination. The cited references are individually complete. In addition, the brightness regulating film of the present application has an advantage for simultaneously adjusting light intensities from the OLED panel and environmental lights in which is not taught and/or suggested in any of the cited references.

Embodiments illustrated in Richard are all related to a mirror using in a vehicle but not a display of self-luminance capability as the organic electroluminescent display of the present application. Thus, Applicants believe that the Cok and Richard are not-analogous art and therefore cannot be combined.

Thus, it is respectfully submitted that the claims 1-4 are allowable over US 6,911,772 in view of US 6,759,945, since US 6,911,772 is legally deficient for the purpose of anticipating independent claim 1. Therefore, Applicant respectfully submits that the claims 5-8 are in condition for allowance, since claims 5-8 are dependent claims that depend from claim 1.

Therefore, Applicant respectfully requests that the rejections be reconsidered and withdrawn, and Applicant requests that a timely Notice of Allowance be issued in this case.

## **CONCLUSION**

In view of the foregoing, it is believed that all pending claims are in proper condition for allowance. If the Examiner believes that a telephone conference would

expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

No fee is believed to be due in connection with this submission. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,

By:



---

Daniel R. McClure  
Registration No. 38,962

**Thomas, Kayden, Horstemeyer & Risley, LLP**  
100 Galleria Pkwy, NW  
Suite 1750  
Atlanta, GA 30339  
770-933-9500